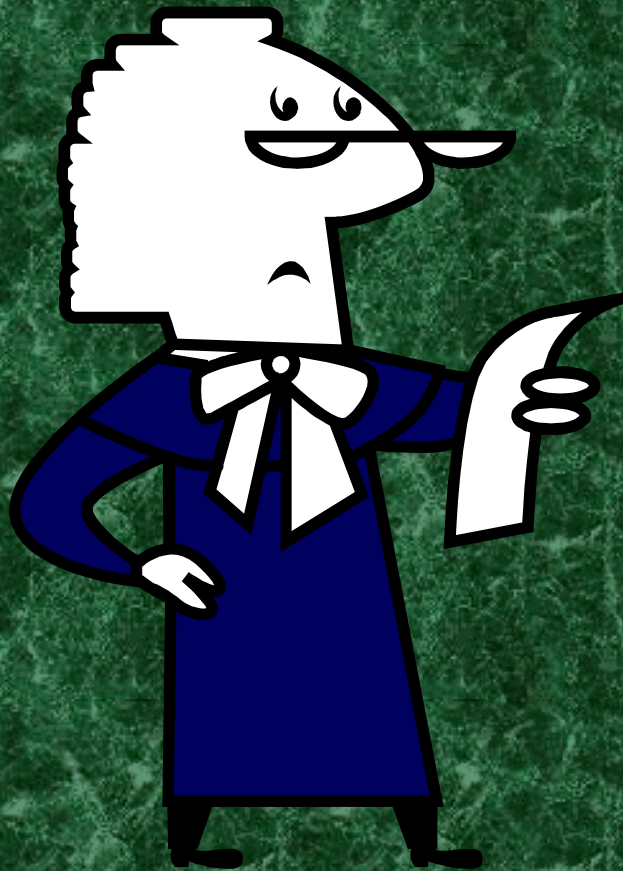


The Attorney General and Tax Prosecutions



- Jurisdiction
 - Constitution-Art.V,§13
 - State, federal
- Resources
 - Time
 - Auditors
 - Tools

Prosecuting Tax Crimes

Where does it begin?

- Agency referrals
 - Criteria for selection
 - Level of assistance
- Attorney General requests
 - Investment/Venture Capital frauds
 - Embezzlements
 - Money Laundering

Prosecuting Tax Crimes

How are they investigated?

- Agency Assistance
- California Bureau of Investigation
- SCU Investigative Auditors



Prosecuting Tax Crimes

What kinds of crimes?

- Income Tax
 - Failing to file
 - False filing with intent to evade
- Sales Tax
 - Failure to pay tax with intent to evade
 - False filing with intent to evade
- Employer Taxes
 - Failure to file: without intent to evade
 - False filing with or without intent to evade
 - Failure to withhold or pay over

Prosecuting Tax Crimes

Reality Check: judge and juror

- Sex appeal
- Using related crimes
- Judicial objections
- Juror sensibilities



Prosecuting Tax Crimes

Success v. Failure

- Quality of witnesses
 - Credibility of lower-level employees
- Corroboration by documents
 - Electronic evidence
- Motive
 - Looking beyond the tax issue